

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JOHN STORM, and PATRICIA  
STORM, husband and wife, and  
the marital community composed  
thereof,

Plaintiffs,

v.

CITY OF PASCO, a municipal  
corporation, BENTON COUNTY,  
and JOHN DOES 1-20,  
individually and in their  
official capacities,

Defendants.

NO. CV-10-05093-EFS

**ORDER GRANTING STIPULATED  
MOTION TO SUBSTITUTE PARTY AND  
AMEND COMPLAINT**

Before the Court, without oral argument, are the parties' Stipulated Motion to Substitute Party and Amend Complaint, ECF No. [14](#), and related Motion to Expedite Re: Stipulated Motion to Substitute Party and Amend Caption, ECF No. [11](#). The parties advise that Plaintiff John Storm died on December 2, 2010. ECF No. [17](#). The parties stipulate and agree that Patricia Storm as Personal Representative for the Estate of John Storm should be substituted as the real party in interest for the decedent, John Storm, and that the caption should be amended as such.<sup>1</sup>

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<sup>1</sup> "If a party dies and the claim is not extinguished, the court may order substitution of the proper party. A motion for substitution may be made by any party or be the decedent's successor or representative."

1 Based on the parties' stipulation, **IT IS HEREBY ORDERED:**

2 1. The parties' Stipulated Motion to Substitute Party and Amend  
3 Complaint, **ECF No. 14**, and related Motion to Expedite Re: Stipulated  
4 Motion to Substitute Party and Amend Caption, **ECF No. 11**, are **GRANTED**.

5 2. The caption shall be amended to read:

6 PATRICIA STORM, as the wife in  
7 the marital community and as  
8 Personal Representative for the  
9 Estate of John Storm, who was  
10 husband in the marital  
11 community,

12 Plaintiffs,

13 v.

14 CITY OF PASCO, a municipal  
15 corporation, BENTON COUNTY, and  
16 JOHN DOES 1-20, individually  
17 and in their official  
18 capacities,

19 Defendants.

20 **IT IS SO ORDERED.** The District Court Executive is directed to enter  
21 this Order and provide copies to counsel.

22 **DATED** this 13th day of July 2011.

23 \_\_\_\_\_  
24 s/Edward F. Shea

25 EDWARD F. SHEA  
26 United States District Judge

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27 \_\_\_\_\_  
28 Fed. R. Civ. P. 25(a). In Washington, "[a]ll causes of action by a  
29 person or persons against another person or persons shall survive to the  
30 personal representative of the former . . . ." RCW 4.20.046.

ORDER \* 2